

UNITED STATES DISTRICT COURT

DISTRICT OF NEW HAMPSHIRE

Integrated Deicing Services, LLC,
Plaintiff

v.

Case No. 09-cv-420-SM

Kevin Worley, Glenn Vanderlinden,
and Aquapower Renewables, Inc.,
Defendants

NOTICE OF RULING

Re: (Document No. 34) Defendants' Joint and Assented to Motion to Extend Time to Respond to the Complaint

Ruling: Denied. Review of the docket in this case suggests that the parties have settled the dispute and have embarked upon a course of continually seeking extensions of time in which defendants may answer the complaint - all to facilitate the parties' ability to "implement the Settlement Agreement to resolve this litigation," apparently by keeping the litigation alive in the event a party fails to perform as agreed. Either the case is settled, or it is not. Assuming that the parties have not actually settled the case (no information is provided from which such a determination can be made), and the parties have merely agreed to settle in the future if certain performance obligations are fulfilled, there is still no reason to keep this case active. Accordingly, the case is administratively closed by reason of settlement, subject to reopening on the motion of either party.

SO ORDERED.



Steven J. McAuliffe
United States District Judge

December 5, 2011

cc: Bret A. Cohen, Esq.
James M. Nicholas, Esq.
Scott C. Ford, Esq.
Susan J. Baronoff, Esq.
James P. Harris, Esq.